

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiroshi OJI	Art Unit: 2818
Application No.: 10/572,730	
Confirmation No.: 6903	Examiner: A. Huynh
Filing or 371(c) Date: March 21, 2006	
Title: SEMICONDUCTOR DEVICE HAVING HIGH-K GATE DIELECTRIC LAYER AND METHOD FOR MANUFACTURING THE SAME	

**RESPONSE TO RESTRICTION REQUIREMENT  
AND ELECTION OF SPECIES REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement and Election of Species Requirement issued on October 2, 2008, Applicant elects Group I and Species II (Fig 3), including claims 1 and 2 for prosecution in the present application. This election is made without traverse.

Applicant hereby reserves the right to file a Divisional Application to continue prosecution of the non-elected claims 3-5.

Favorable consideration and prompt allowance of the present application are respectfully requested.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Dated: October 22, 2008

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